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6 UNITED STATES DISTRICT COURT
7 EASTERN DISTRICT OF WASHINGTON
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9 OPAL HARGER, *et al.*,

10 Plaintiffs,

11 v.

12 U.S. DEPARTMENT OF LABOR,
13 and THE NATIONAL INSTITUTE
OF OCCUPATIONAL SAFETY
AND HEALTH,

14 Defendants.
15

NO. CV-06-5071-RHW

**ORDER GRANTING
PLAINTIFF'S MOTIONS FOR
JOINDER AND FOR
SUBSTITUTION**

16 Before the Court are Plaintiff's Motion for Joinder (Ct. Rec. 84) and Motion
17 for Substitution of Party (Ct. Rec. 90). The motions were heard without oral
18 argument. Plaintiff asks this Court to join Donna Caputo, a surviving daughter of
19 former Hanford worker, Dannie Mundy, to her claim. Ms. Caputo's claim presents
20 the same legal and factual questions that were prevalent in Plaintiff's previously
21 granted motions for joinder. (Ct. Recs. 34, 43, 61, & 83). Therefore, Plaintiff's
22 Motion for Joinder is granted.

23 Additionally, Plaintiff requests the Court permit substitution of Deborah
24 Watters Graber for Plaintiff Edith Watters. Edith Watters is deceased, and Ms.
25 Graber is the successor to all rights vested in her before her death. Federal Rule of
26 Civil Procedure 25 permits the Court to substitute proper parties upon the death of
27 a party. Fed. R. Civ. P. 25(a).

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**ORDER GRANTING PLAINTIFF'S MOTIONS FOR JOINDER AND FOR
SUBSTITUTION * 1**

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. Plaintiff's Motion for Joinder (Ct. Rec. 84) is **GRANTED**.

3 2. Plaintiff's Motion for Substitution of Party (Ct. Rec. 90) is
4 **GRANTED**.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
6 Order and to provide copies to counsel.

7 **DATED** the 22nd day of October, 2007.

8 *s/ Robert H. Whaley*

9 ROBERT H. WHALEY
10 Chief United States District Judge

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